

Development of the Board of Equalization Rules for Tax Appeals

Staff provided the public with notice of the project to replace the old Rules of Practice in July 2005, released the first drafts of all five chapters of the New Rules in mid-September 2005, and then discussed the drafts with the Board and the interested parties in detail at the September 28, 2005, Board meeting. Following that meeting, each chapter followed its own timeline.¹

Chapters 1 and 2

The first drafts of chapter 1, *title*, and chapter 2, *Sales and Use Tax, Timber Yield Tax, and Special Taxes and Fees*, were discussed at an interested parties meeting on October 26, 2005. Staff then revised and reissued second drafts of the chapters on December 9, 2005 to solicit additional written comments, and then revised the chapters again and submitted third drafts of the chapters to the Board for approval at the January 31, 2006, Board meeting. During that meeting, the Board gave staff specific direction on how to best complete chapter 2. Staff then revised chapter 2 in accordance with those directions and the Board approved the fourth drafts of chapters 1 and 2 at the April 18, 2006, Board meeting.

Chapter 3

The first draft of chapter 3, *Property Taxes*, was discussed at an interested parties meeting on November 16, 2005. Staff then revised and reissued a second draft of chapter 3 and discussed it at a second interested parties meeting on February 23, 2006. Staff then revised chapter 3 again, and the Board approved the concepts incorporated into the third draft of chapter 3 at the May 17, 2006, Board meeting.

Chapter 4

Staff revised chapter 4, *Appeals from Actions of the Franchise Tax Board*, and issued a second draft of chapter 4 on December 9, 2005, that was discussed at the December 14, 2005 interested parties meeting. Staff then revised chapter 4 and issued a third draft on January 19, 2006, to solicit additional comments. Based upon the written comments, staff revised chapter 4 and issued a fourth draft that was discussed at a second interested parties meeting on March 15, 2006. Staff then prepared a fifth draft of chapter 4 that was discussed at the May 17, 2006, Board meeting, and received direction from the Board on how to best complete chapter 4. Staff revised chapter 4 again, and submitted the fifth draft of chapter 4 to the Board for discussion at the August 29, 2006, Board meeting, and the comments from the meeting are now incorporated into the sixth draft of chapter 4.

¹ More detailed information regarding the timeline, including meeting transcripts and copies of the various drafts of the New Rules of Practice may be viewed at <http://www.boe.ca.gov/regs/timelineCAtax.htm>.

Chapter 5

The first draft of chapter 5, *General Board Hearing Procedures*, was discussed at an interested parties meeting on December 14, 2005. Staff then revised chapter 5, and reissued a second draft, which was discussed at a second interested parties meeting on April 5, 2006. Finally, staff prepared a third draft of chapter 5 that will be presented to the Board at the September 27, 2006 Board meeting.